

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-6893

EUGENE R. DANIELS,

Plaintiff - Appellant,

versus

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS;
GARY MAYNARD, Director; GUARD DURANT; WARDEN
ANTHONY; ASSISTANT WARDEN PRIDGEN; R. CHAVIS,
Associate Warden; GRIEVANCE CLERK SPRATTLING;
GRIEVANCE CLERK JOHNSON; ROBERT WARD; OFFICER
HOLLYWAY; OFFICER YOUNG; SERGEANT HODGES;
LIEUTENANT BROWN,

Defendants - Appellees,

and

JANE DOE; JOHN DOE,

Defendants.

Appeal from the United States District Court for the District of
South Carolina, at Beaufort. Margaret B. Seymour, District Judge.
(CA-03-451)

Submitted: August 26, 2004

Decided: September 3, 2004

Before WIDENER and SHEDD, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Eugene R. Daniels, Appellant Pro Se. Edgar Lloyd Willcox, II,
WILLCOX, BUYCK & WILLIAMS, P.A., Florence, South Carolina, for
Appellees.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Eugene R. Daniels appeals the district court's order dismissing his 42 U.S.C. § 1983 (2000) complaint. The district court referred this case to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) (2000). The magistrate judge recommended that relief be denied and advised Daniels that failure to file timely objections to this recommendation could waive appellate review of a district court order based upon the recommendation. Despite this warning, Daniels failed to object to the magistrate judge's recommendation.

The timely filing of specific objections to a magistrate judge's recommendation is necessary to preserve appellate review of the substance of that recommendation when the parties have been warned that failure to object will waive appellate review. See Wright v. Collins, 766 F.2d 841, 845-46 (4th Cir. 1985); see also Thomas v. Arn, 474 U.S. 140 (1985). Daniels has waived appellate review by failing to file objections after receiving proper notice. Accordingly, we affirm the judgment of the district court.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED